

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:	Chapter 7
PERVACIO, INC.,	Case No. 20-12096 (JTD)
Debtor.	

NOTICE OF SUCCESSFUL BID AND BIDDER FOR THE DEBTOR'S ASSETS

PLEASE TAKE NOTICE that on September 22, 2020, George L. Miller, the chapter 7 trustee (the “Trustee”) of the bankruptcy estate of Pervacio, Inc. (the “Debtor”), filed the *Chapter 7 Trustee’s Motion For (I) an Order Establishing Bidding Procedures and Granting Related Relief, and (II) an Order Approving the Sale of the Assets* [Dkt. No. [12](#)] (the “Sale Motion”).¹

PLEASE TAKE FURTHER NOTICE that on September 25, 2020, the Bankruptcy Court entered an *Order (i) Scheduling a Hearing to Consider Approval of the Sale of Substantially all of the Debtor’s Assets, and the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases, (ii) Approving Certain Bidding Procedures, Assumption and Assignment Procedures, and the Form and Manner of Notice Thereof, and (iii) Granting Related Relief* [Dkt. No. [27](#)] (the “Bid Procedures Order”).

PLEASE TAKE FURTHER NOTICE that pursuant to the Bid Procedures Order, the Trustee solicited bids for the sale of substantially all of the Debtor’s assets (the “Acquired Assets”). The Trustee received two bids and determined to use the bid from Partners for Growth V, L.P. (“PFG”) as the baseline bid in connection with the auction scheduled for November 2, 2020. The Trustee has been advised that the other bidder is not willing to meet the baseline bid of PFG. Accordingly, the Trustee has canceled the Auction and has selected PFG’s bid as the highest and best offer for the Acquired Assets (the “Successful Bid”). The details of the Successful Bid are set forth in the Asset Purchase Agreement attached hereto as **Exhibit A**. Any non-Debtor party to an Assumed Contract wishing to obtain adequate assurance information from PFG should contact counsel for PFG, *Levy, Small & Lallas*, 815 Moraga Drive, Los Angeles, CA 90049 (*Attn:* Sarah Steigleder, Esquire ssteigleder@lsl-la.com) and (ii) *Chipman Brown Cicero & Cole, LLP*, Suite 5400, 1313 N. Market Street, Wilmington, DE 19801 (*Attn:* William E. Chipman, Jr, Esquire Chipman@chipmanbrown.com).

PLEASE TAKE FURTHER NOTICE that the proposed form of Sale Order approving the Successful Bid is attached hereto as **Exhibit B**. A redline of the attached proposed Sale Order against the form of proposed Sale Order previously filed with the Bankruptcy Court is attached hereto as **Exhibit C**.

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Sale Motion.

PLEASE TAKE FURTHER NOTICE that the Sale Hearing shall occur on **November 4, 2020 at 10:00 a.m. (prevailing Eastern Time)** before the Honorable John T. Dorsey, United States Bankruptcy Judge at the Bankruptcy Court, 844 Market Street, 5th Floor – via Zoom and CourtCall. At the Sale Hearing, the Trustee will seek approval of the Successful Bid.

PLEASE TAKE FURTHER NOTICE that the Court may enter the proposed form of Sale Order in advance of the Sale Hearing and the Sale Hearing may be cancelled.

Dated: November 2, 2020

/s/ David W. Carickhoff

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